

*Minutes*  
**DEFIANCE TOWNSHIP TRUSTEES**  
**August 28<sup>th</sup>, 2018 MEETING**

The Defiance Township Trustees met in regular session at the offices of Northwest Realty – 618 South Clinton Street, in Defiance Township, Defiance, Ohio, on Tuesday, August 28<sup>th</sup>, 2018 at 6:30 p.m. Answering as present were Diana Mayer, Dan Peck & Jason Shaffer. With all three (3) members of the BOARD OF TRUSTEES having answered the roll, a quorum was declared.

Township employee(s) present were: John Diemer 23361 Defiance-Paulding Co. Line Rd 10, Tom Mick 21389 Hammersmith rd. (zoning commission member), Larry Plumber 21297 Kiser Rd.(zoning appeals Bd. member) & Harry Railing 14951 Power Dam Road, all of Defiance, Ohio.

Visitors present: Dave Mick 19444 Hammersmith Rd. Patti Diemer 23361 Defiance-Paulding Co. Line Rd 10, & Rhonda Shaffer 13386 St. Rte 15 – all from Defiance Twp./Defiance City

**ORDER OF BUSINESS NO. 1**

Reviewed and approved the minutes of the previous session(s).

Mr. Shaffer requested a motion for the approval of minutes from the July 24<sup>th</sup>, 2018, regular session.

Mr. Peck moved to approve the minutes as presented.

Mrs. Mayer seconded.

The vote being   3   Yea(s)   0  Nea(s)

The minutes for the sessions were approved.

**ORDER OF BUSINESS NO. 2 - Citizen concerns:**

1) The chair asked for citizen concerns from the floor.

a) Tom Mick was recognized.

i) Mick asked if the Twp had a ditch maintenance plan in place. Mick noted the flooding along Hammersmith Rd continues after heavy rain events.

(1) Chairman Shaffer stated the Twp does have a plan. The Trustees view all roads and ditches monthly and contracts with the Defiance County Engineer's Office and Defiance County Soil and Water to review and determine appropriate responses when issues arise.

(2) Dave Mick stated there is water flooding his farm ground. Mick wanted to know what would be done.

(3) Trustee Shaffer noted that the cause of this flooding – according to studies by the Soil and Water and Co Engineer is a calapsed pipe & catch basin in a field. The catch basin and most of the pipe is on private property. That is the responsibility of the property owner.

(4) Trustee Shaffer also said that other known flooding issues, were found to be caused by private drive pipes that are not properly in place or that are clogged.

(a) Shaffer further stated that Soil and Water did a study for the Twp of the issue and residents with pipes that were either clogged or not properly placed, (to an elevation to allow easy flow of storm water) were notified to replace or unclog their drive pipes.

(i) Shaffer noted that as with the State and County, drive pipes are the responsibility of the property owner.

ii) Mr. Shaffer offered to accompany the Micks on a visit to the County Engineer's Office to review their concerns with the county engineer.

**ORDER OF BUSINESS NO. 3 - FINANCES –**

The following financial reports provided to the Board were reviewed.

a) The Reconciliation for July - noted a primary checking reconciliation balance of \$185,324.34 - balance is minus the outstanding checks and Township investment funds & is taken from the Bank's monthly statement.

b) Receipt report:

i) Receipts for August (UAN software-) were \$104,968.24.

c) Payment reports:

i) Payments for August (UAN software-) were \$64,457.89.

- d) The Cash fund summary through August 26<sup>th</sup>, 2018, (UAN software) showed an “ending fund balance” of \$923,948.56.
- i) The “cash available” for encumbrances (unencumbered fund balance- UAN software) was \$260,022.31.
- e) Appropriation Status showed that through August 26<sup>th</sup>, 2018 (UAN software), 21.6% of the years’ appropriations had been expended. All reports will be on file in the Fiscal Officer’s office.
- f) The fund status report (money market) showed:
  - i) The money market investment fund balance as of 08-26-18 was \$712,475.27.
- g) Trustees reviewed and signed bills through the 26<sup>th</sup>.
- h) Payroll & August time cards (time cards provided trustees prior to session) – Trustees Reviewed & Signed.
- i) The fiscal officer reported that the Twp had received from the Def Co Auditor’s office the 2019 anticipated and approved amount of revenue that the Twp is to receive from the County’s General Property tax receipts & the Twp’s fire levy. These amounts are to fund the Twp’s Gen fund, fire fund & Road and Bridge Fund. The notice estimates the amount the Twp can expect from Inside the 10 mill limitation and from outside the 10 mill limitation (see schedule A of the resolution.)
  - i) The Twp can expect to receive a total for both the general fund and road and bridge (road funds) of \$104,300.00 from the inside millage in 2019. This is roughly a \$3,100 increase from the amount projected to be received in 2018.
  - ii) The fire levy (fire combat/ems service levies) (outside millage) will receive a projected \$120,000.00 – This is approximately \$1,800 more than projected in 2018.
  - iii) Recent history of this revenue source: revenues are now increasing slightly each year.
    - (1) The road and bridge fund. – increasing
      - (a) **2019 \$80,100**
      - (b) 2018 \$76,400
      - (c) 2017 \$75,800
      - (d) 2016 \$73,900
      - (e) 2015 \$68,800
    - (2) The general fund – increasing
      - (a) **2019 \$24,200**
      - (b) 2018 \$22,800
      - (c) 2017 \$22,600
      - (d) 2016 \$23,000
      - (e) 2015 \$22,000
    - (3) The fire fund: - increasing
      - (a) **2019 \$120,000** (fire/ems levy 75,500 and ems/levy of 2015 \$44,500)
      - (b) 2018 \$118,800 (fire/ems levy \$74,700 and ems/levy of 2015 \$44,100)
      - (c) 2017 \$117,800 (fire/ems levy \$74,000 and ems/levy of 2015 \$43,800)
      - (d) 2016 \$114,800
      - (e) 2015 \$72,500
      - (f) 2014 \$71,500
  - iv) **exhibit 3i** is – **resolution 16-2018**.

Mr. Shaffer requested a motion to adopt **resolution 16-2018** (attached) accepting the amounts and rates as determined by the Co Budget committee and authorizing the necessary tax levies and certifying them to the County auditor.

MOTION: by Diana Mayer  
 SECOND: by Dan Peck

3 YEA(s)                      ONAY(s)                      x Passed                      Failed

- j) **Exhibit 3j** – is a cover letter from the Def Co Auditor’s office and a Twp resolution (15-2018) regarding the Defiance Township’ anticipated distribution share of the anticipated “Local Gov’t Fund monies” for 2019; the Twp can expect to receive a total of \$24,913.53 in 2019. This Twp funding allocation was \$23,598.49 in 2018, \$21,380.32 in 2017. \$20,712.88 in 2016, & \$20,354.73 in 2015.
- v) The fiscal officer reports:

- (1) The 2019 estimated allocation is roughly \$1,315.04 more than in 2018.
- (2) exhibit 3j – resolution 15-2018, to accept the 2019 local gov't fund distribution as proposed by the Defiance County's Budget Commission was reviewed by Trustees.

Mr. Shaffer requested a motion to adopt **resolution 15- 2018** (attached) accepting the estimated local government fund distribution as determined by the Co Budget committee for the 2019 Twp budget.

MOTION: by Diana Mayer  
 SECOND: by Dan Peck

3 YEA(s)                      0 NAY(s)    x Passed    Failed

Mr. Shaffer requested a motion to accept the August financial reports.

MOTION by: Mayer  
 SECOND by: Peck  
 YEA(s) 3              NAY(s) 0              Passed X              Failed  
 The financial reports were approved.

**ORDER OF BUSINESS NO. 4 – Zoning** - Status update on the following zoning Issues as of this session:

- a) August report –
  - i) Permits issued
    - (1) John Shaw- Kiser rd - pole barn
    - (2) Clay Griewe- garage - Kiser rd
  - ii) Zoning questions
    - (1) Talked to Maumee Valley Planing - Lois Kohout Property- Power Dam- Building requirements for site
  - iii) Nuisance issues
    - (1) Talked to Russ Herman- concerning Scotty's and DAV high grass
    - (2) Checked for high grass on Fisher Property - Parkview Dr

Respectfully submitted  
 John Diemer, Twp Zoning Inspector

- b) Mr. Shaffer asked if there are any other zoning/nuisance issues to come before the Board?
  - i) None were offered.

**ORDER OF BUSINESS NO. 5 -- Equipment;**

- a) Comments or concerns from Twp employees on current or proposed new eq &/or safety items.
- b) Comments or concerns from Twp employees on current or proposed new eq &/or safety items.
  - i) Farm gates are to be placed on twp salt bins. The purpose of the gates was to protect eq placed in the bins during the summer months. Gates would be removed when salt was placed into the bins for winter snow removal operational needs. See mins from May 2018 session forward for details.
    - (1) Trustees had asked operator's to complete this task in July.
    - (2) Update:
      - (a) Operators noted they did not get to this item in July. They will purchase gates in August if possible.
  - ii) It was noted by Railing and Twp Trustees that all equipment is now repaired and operating.
  - iii) The Chair asked if there were any other issues – none were brought forth.

**ORDER OF BUSINESS NO. 6 - Trustee Report – Monthly Twp Rd inspection and road projects.**

- a) Trustee Report (exhibit 6-a) – Monthly Twp Rd inspection by Trustee Shaffer.
  - i) Roadside mowing remains a priority.
  - ii) The August report is to be used as the guidance for work in Sept. by Twp operators.
  - iii) The September Rd review is to be by Trustee Peck.

b) **2018 Road projects:**

- i) At the February 2018 session Trustees approved the County Engineer's 2018 project list.
- ii) At the April 2018 session an amended estimate was provided dated 4-6-18 – as **exhibit 6-b**.
- iii) Work update:

(1) <b>Chipseal work for 2018 remains:</b>	<b>cost estimates</b>	<b>old</b>	<b>revised</b>
(a) Link Rd – Powerdam to Powerdam – 1,126'		\$1,732.94	\$1,870.00
(b) Ball rd – Krouse to Canal – 5,338'		\$9,221.97	9,965.00

- (2) Crackseal for 2018 completed and paid- see July bills.
- (3) Hot Mix Patching – wrk completed & billed. See bills of August.
- (4) Paving – wrk completed & paid – see June meeting mins.
- (5) Projects completed are crossed out and will be removed from the agenda once the bill is processed.
  
- (6) From past 2018 sessions, Trustees had approved the Co Engineer to do the following:
  - (a) Repair street drain covers in the Lakeview addition.
    - (i) No cost estimate provided.
  - (b) Some storm water drains are being filled with leaves - Shaffer asked the Co. Engineer to use the jet vac to remove this debris.
    - (i) It was agreed that the work will be done in Oct. or early Nov. after the leaves have fallen.
    - (ii) No cost estimated provided.
  - (c) Dura Patching is needed on Wilhelm Rd – about 500' south of McAlistar and on Co. Line Rd 10 east of 66 and again 100' further west.
    - (i) No cost estimates acquired.
  - (d) A curve is failing at the intersection of Ball & Canal – Shaffer had spoken with the County Engineer – failure is probably due to a collapsing culvert pipe under the road. The Co. engineer will address this issue in late summer or early fall.
    - (i) No cost estimated was provided.
  - (e) All items (a-e) are yet to be addressed.
- (7) The Chair asked if there are any other issues.
  - (a) None were brought forth.
- (8) **Total est . expenses for co work on twp behalf in 2018 -~~\$87,998.07~~ -- \$95,870.00**
  - (a) **(does not include items for which no cost estimates were acquired)**

c) **Twp projects by Twp staff or other contractors for 2018:**

- i) Discussion...if any twp projects for 2018:
- ii) Trustees noted that Karnes Rd was damaged by contractors working to replace the Watson Rd bridge.
  - (1) The contractor acknowledges the damage per Trustee Shaffer and the contractor is repairing the road.
  - (2) There is no cost to the Twp.
- iii) The Chair asked if there were any other projects.
  - (1) None were brought forth.

d) **Future major Twp road projects – first discussed at the Feb. 2018 session.**

- i) Due to expenses, these project(s) will be implemented over several years, which will allow the Twp to save toward funding for such major projects.
- iv) See agendas from Feb 2018 forward for details:
  - (1) The Board is discussing with the County Engineer the following:
    - (2) rebuild of Bowman Rd – initially planned to start in 2019.
      - (a) prep and purchase of right of way if necessary for the rebuild of Bowman Rd.
      - (b) this would be over several years with the construction project beginning in 2021 dependent upon available cash.
      - (c) As this road is several miles long the cost will be much greater.
      - (d) Trustees noted they would need a plan from the Co. Engineer to break this project down with cost estimates.
      - (e) Trustees will then determine when to proceed.
  - (3) As of the June 2018 session – Mr. Shaffer reported the engineer's office will prepare a multiyear plan with estimated costs for the Twp to review and plan for financing this project.
  - (4) Update if any:
    - (a) As of this session the Twp awaits the plan from Co. Engineering.

**e) A financial impact review by the fiscal officer:**

i) The fiscal officer reported that total road expenses year to date are:

(1) Total road fund revenues year date are	<b>\$143,776.93</b>
(2) Total road fund expenses year to date are	<b>\$ 133,328.74</b>

ii) Anticipated revenue for 2018 – based on the January 2<sup>nd</sup>, Twp amended certificate was:

(1) \$171,715.00 more or less

iii) Anticipated expenses for 2018 – as of this session:

(1) Regular twp. expenses are estimated – based on historical review, at between \$70,000 and \$100,000 – would include Twp projects listed above:

(2) \$95,870.00 for Co Eng work- see co eng. est cost for twp wrk in 2018 dated 4-6-18 by Co Eng proj list.

(3) Total anticipated expenses base on the above:

(a) from \$150,000 to 200,000k if there are no major Twp projects undertaken.

f) **A recap of the OPWC grants** – see minutes of previous sessions for history. An update was last received from the Co Engineer's Office dated 1-16-2018. That update includes the posting of the 2018 OPWC grant funds of Def Twp.

i) Current status – the OPWC report from the County Engineer's office as of 1-16-2018 indicates that:

(1) The Def Twp has posted to its grant line for 2018 \$43,455. (money is with the Co Eng – any used in 2018 will be posted to Twp fund lines as pass through money and an amended certificate will be required to account for the expenditure of these funds on behalf of the Twp. Said amended certificate is generally applied for in November of each year that grant funds are used by the co eng on the Twp's behalf.

(2) the Twp has \$10,924.32 of current grant dollars available for use.

(3) There are no future grant dollars used as of this session.

ii) The Engineer has previously informed the Trustees that with the passage of issue 1 several years ago the law promises the grants. The average annual grant for Def Twp is \$25k for the next 7 years or a total of \$175k remaining give or take.

g) The Chair asked if there was any other discussion regarding the fiscal impact report.

h) The Chair asks if there are any cemetery issues for discussion

i) The fiscal officer reported that the Township was contacted by Rhonda Caster in August. She requested to purchase lot(s) for burial in the Twp's Taylor cemetery. Trustees were forwarded the information by the fiscal officer via email.

ii) Research by the fiscal officer found that no record exists that establishes a cost for lots in the Township's cemeteries (Cromley, Taylor & Tuttle) - research further indicates (paper only) that only Taylor may have grave site(s) available.

iii) The fiscal officer surveyed two adjacent governmental entities as to their charges for lots in cemeteries they operate or are legally responsible for.

(1) **Exhibit 6-H-1** – contains survey results from the City of Defiance and Noble Twp.; and

(2) **Exhibit 6-H-2** – contains data on the three twp cemeteries including drawings and the email forwarded to Trustees from Rhonda Caster.

(3) Draft Def. Twp Resolution 14-2018 titled Lot Charges for Defiance Township Cemeteries.

iv) The Chair called for discussion:

(1) Mr. Peck stated he thinks there are 10 to 12 spaces available in Taylor cemetery.

(2) Peck proposed to note these lots on the Taylor cemetery map.

(3) Peck then moved to adopted resolution 14-2018 Lot Charges for Defiance Twp Cemeteries.

(a) Price per lot for twp residents is \$150.

(b) Price per lot for non-twp residents is \$300.

MOTION by: Peck - to adopt resolution 14-2018

SECOND by: Mayer

YEA(s) 3 NAY(s) 0 Passed X Failed

i) The Chair asked if there were any other cemetery issues for discussion

- i) There were no other cemetery issues brought forth.

**ORDER OF BUSINESS NO. 7- Handouts**

- b) Monthly (August 8) GrassRoots clippings – **exhibit 7a**

**ORDER OF BUSINESS NO. 8 Old Business:**

- a) The Chair asked if there was any old business to come before the Board?
  - i) It was noted that Def. Twp. Trustees are scheduled to host the 4th qrt 2018 County Twp Association meeting.
    - (1) Trustee Shaffer stated that he had contacted the County and has acquired approval to host the Quarterly session at the Co. EMA building in Brunersburg.
    - (2) Trustee Mayer has acquired a cater – Colleen Catering of Def.
      - (a) The cost per meal is \$9. This is paid from the Associations funds – cost to attend is \$10 per person.
    - (3) The meeting date is Oct. 18<sup>th</sup>, 2018 – starts at 6:30p.m.
  - b) The Chair asked if there was any other old business to be discussed...
    - i) Exhibit 8-b was passed out. This was an Advisory regarding Elections, specifically “advisory elections”. The advisory was from the Sec’t of State’s office.
      - (1) It noted that only municipalities that have adopted home rule may hold such an election.
      - (2) Other political subdivisions – state, county, townships, school districts, etc. are prohibited from holding advisory elections.
  - b) The Chair asked if there was any other old business.
    - i) There was none.

**ORDER OF BUSINESS NO. 9 - New Business.**

- a) The Chair asked if there was any new business to be discussed....
  - i) The Defiance Township’s Public records policy was discussed.
  - ii) A review in August (see item 9b below) of the current policies 006 and 007 passed by Trustees in January and July of 2007 found that it was advisable to review and possibility update the Twp’s policy(ies).
    - iii) **Exhibit 9-b** – contains:
      - (1) Documentation of the creation of Twp policies 006 and 007 in 2007 creating the Twp’s present Public records policy.
      - (2) Copies of Twp policies 006 & 007 for Trustee Review; and
      - (3) A copy of the current Defiance County Public Records and Document management policy.
        - (a) Used as guidance to draft the update of Def. Twp’s draft policy.
      - (4) A draft resolution 13-2018 – titled Defiance Township Public Records and Document Management Policies and Procedures; and
      - (5) A draft policy 006a titled Defiance Township Public Records and Document Management Policies and Procedures – that if adopted combines 006 and 007.
    - iv) The Chair asks for discussion.
      - (1) After review – Trustees determined that the Twp’s Public records and document management policies needed to be updated.
      - (2) Trustees accepted the draft as presented.

It was MOVED by: Peck - to adopt resolution 13-2018 titled Defiance Township Public Records and Document Management Policies and Procedures.

SECOND by: Mayer

YEA(s) 3      NAY(s) 0      Passed X      Failed

- b) The Chair asked if there is any new business to be discussed....
  - i) There was none.

**ORDER OF BUSINESS NO. 10 - NEXT MEETING:**

a) The next regular session.

**Date: Tuesday – September 25<sup>th</sup>, 2018 regular session.**

**Time: 6:30 p.m.**

**Place: Northwest Ohio Real Estate Services - 618 S Clinton St, Defiance, OH 43512**

**ORDER OF BUSINESS NO. 11 – Adjournment:**

Mr. Shaffer requested a motion to adjourn the meeting of August 28<sup>th</sup>, 2018.

It was moved by: Mayer

SECOND by: Peck

The roll was called and the vote was:

YEA(s) 3 NAY(s) 0 The motion: Passed X Failed

MEETING ADJOURNED

Respectfully Submitted

Timothy J. Houck, Fiscal Officer-Clerk